



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6
3-2-02

In re the Application of

Shuji OTSUKA et al.

Group Art Unit: 2622

Application No.: 09/237,896

Examiner: M. NGUYEN

Filed: January 27, 1999

Docket No.: 102640

For: FACSIMILE DEVICE AND MEMORY MEDIUM STORING COMPUTER
PROGRAMS FOR CONTROLLING THE FACSIMILE DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

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Sir:

In reply to the Restriction Requirement mailed January 30, 2002, Applicants provisionally elects Group I, claims 1-37, with traverse.

It is respectfully submitted that the subject matter of all claims 1-46 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all the claims in this application.

Respectfully submitted,



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JAO:HNS/cfr

Date: February 21, 2002

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